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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,580	11/02/2000	Daniel T. Bogard	SIG000056	5696

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EXAMINER

NGUYEN, SIMON

ART UNIT PAPER NUMBER

2685

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/705,580

Applicant(s)

BOGARD, DANIEL T.

Examiner

SIMON D NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 35-49 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/2/00.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 9, 14, 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Suda et al. (US 200e/0134590 A1).

Regarding claim 1, Suda discloses a content display device (301)(figs.43, 44A), comprising: Data processing circuitry (412) for receiving inputs of an external content processing device (102, 103, 104 of figs. 43, 44B-C) to produce data regarding the functionality of an external processing device; content display module (410,411) (figs. 44A, 45A-C) for processing the content data for presentation; and transceiving module (415) for transmitting and receiving channels (page 19 paragraph 469 to paragraph 481).

Regarding claim 14, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 2, Suda discloses an A/D converter (405) for converting an input device (404) from analog to digital signal (fig.44A).

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Regarding claims 3-5, 9, 18, Suda further discloses audio, video, text data and multimedia data (fig. 43), and the remote control data comprising: volume, stop, play, pause, record, intensity, contrast, security, and telephone access data (figs. 45A-C) the transceiver 415 for receiving/transmitting data from/to a home theater and display on a screen (page 19 paragraph 469 to page 20 paragraph 505).

3. Claims 20, 22, 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Kitao et al. (6,160,491).

Regarding claim 20, Kitao discloses a method for presenting content data and processing data (abstract, figs. 4-7), comprising: receiving inputs (to operation key section 101) regarding functionality of an external content processing device (#109 or #402); processing the inputs to produce data (#103); modulating in transmitter 104; receiving the content data via a channel coupled to the external content device; transmitting the modulated data to the external content device; and processing the content data for presentation (column 10 lines 10-67, figs. 4-7).

Regarding claim 30, Kitao discloses a method for presenting content data and processing data (figs. 4-7), comprising: receiving modulated display data and content data from the external processing device (109), separating (by #502) the modulated data from the content data; retrieving display data, processing the display data; and processing the content data for presentation (column 10 lines 37-67, figs. 4-7).

Regarding claim 22, Kitao further discloses the step of receiving modulating display data , separating, retrieving the modulated display data, and displaying the display data (column 10 lines 36-67, column 11 lines 1-25).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-8, 10-13, 15-17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suda et al. (US 2003/0134590 A1).

Regarding claim 6-8, 10-13, 15-17, and 19, Suda discloses the transceiver unit 415 for receiving/transmitting and processing signals by encoding/decoding, converting signals from analog to digital or vice versa, then displaying on the screen (page 19 paragraph 469 to page 20 paragraph 489), wherein the transceiver comprising a transmitter and a receiver, and wherein the transmitter inherently includes a modulator, and wherein the receiver inherently comprises a demodulator, and wherein the remote controlling device 301 comprising an identifying circuit (413) for determining whether signals is a telephone signal, a TV signal or a video signal (figs. 44A, 45A-C). However, Suda does not specifically disclose in detail about the remote controller 301 comprising; a BPF, a gain controller, a data extractor, a quantizier, a clock recovery, a correlator, a phase comparator, an injecting circuit, and an identifying circuit.

It should be noted that the remote controller 301 obviously includes BPF, gain controller, data extractor, quantizier, clock recovery, correlator, phase comparator, a demodulator, a modulator, an injecting circuit, and an identifying circuit which are known to those skilled in the art in order to process receiving signals from different sources and converting signals to digital, modulating/demodulating, extracting, identifying signals prior to be displayed.

6. Claims 23-29, 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitao et al. (6,160,491).

Regarding claims 23-28, 31-33, Kitao discloses the remote controller having the transceiver for receiving/transmitting from/to the external processing device (figs.4-7), wherein the received/transmitted signals are modulated/demodulated, processed and displayed. However, Kitao does not specifically disclose in detail about the remote controller comprising: a BPF for separating signals, gain controller, data extractor, quantizier, clock recovery, correlator, phase comparator, an injecting circuit, and an identifying circuit displayed in order to improve the quality of displayed signals.

It should be noted that the remote controller 100 obviously includes BPF, gain controller, data extractor, quantizier, clock recovery, correlator, and phase comparator, a demodulator, a modulator, an injecting circuit, an identifying circuit which are known to those skilled in the art in order to process receiving signals from different sources and converting signals to digital, modulating/demodulating, extracting, identifying signals prior to be displayed in order to improve the quality of displayed signals.

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Regarding claims 29, 34, Kitao disclose the receiver 105 receiving a signal from the external content device 109, processing, and providing the content display (column 10 lines 37-67).

7. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kitao et al. (6,160,491) in view of Suda et al. (US 2003/0134590 A1).

Regarding claim 21, Kitao does not specifically disclose an A/D converter.

Suda, in the same field of invention, discloses an A/D converter (fig.44A).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Kitao, modified by Suda in order to digitize an analog signal to a digital signal in order to improve the quality of the received signal.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chihara et al. (6,714,233), (priority date: June 21, 2000), discloses a watch, wherein the watch (12) as a content display device for presenting content data and processing data received from an external processing device (11) (figs.7-11).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (703) 308-

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1116. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

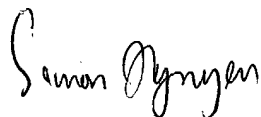
Or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Hand-delivered response should be brought to Crystal Park II,
2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Simon Nguyen

November 16, 2004

A handwritten signature in cursive script that reads "Simon Nguyen".